

**IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO**

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**IN RE: LUIS ANGEL POGGI FUENTES**  
 SSN xxx-xx-7621  
**MIGDALIA MILIAN SANTIAGO**  
 SSN xxx-xx-3400

Debtor(s)

CASE NO: 18-05636-MCF

Chapter 13

**TRUSTEE'S OBJECTION TO PROPOSED POST CONFIRMATION PLAN MODIFICATION UNDER SECTION 1329**

\*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO\***

Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$1,000.00** Outstanding (Through the Plan): **\$0.00**

\*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1329

Debtor's/s' Commitment Period:  Under Median Income 36 months  Above Median Income 60 months §1325(b)(1)(B)  
 Projected Disposable Income: **\$0.00**

**Liquidation Value:\$1,892,197.00 Estimated Priority Debt: \$0.00**

If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately **\$1,892,197.00**

With respect to the Proposed "PCM": Dated **05/26/2021** (Dkt 82) **Plan Base: \$213262.00**

The Trustee:  **DOES NOT OBJECT**  **OBJECTS** Plan Confirmation Gen. Uns. Approx. Dist.:100 + 4.25%

The Trustee objects to confirmation for the following reasons:

[1325(a)(6)] Payment Default Feasibility – Debtor(s) is in default with proposed plan payments, to the trustee and/or creditor(s).

Under the proposed plan, Debtor is \$175,481.00 in arrears because the debtor have not made the last payment to the plan that is due today.

Also, the payment in the amount of 5,446.00 made n May 3, 2021 bounced for lack of funds.

**NOTICE**

**14 day notice:** Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

**CERTIFICATE OF SERVICE:** The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Jose R. Carrion, Esq.  
**CHAPTER 13 TRUSTEE**  
 PO Box 9023884, San Juan PR 00902-3884  
 Tel. (787)977-3535 Fax (787)977-3550

Date: May 28, 2021

/s/ Mayra Arguelles, Esq.

